

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 ANTONIO LOPEZ, JR.
Deputy Attorney General
4 State Bar No. 206387
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2536
6 Facsimile: (213) 897-2804
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. *2011-829*

11 **LAURA MECHELLE DUNN**
12 **aka LAURA M. DAUGHTRY DUNN**
13 **42 Pioneer Drive**
14 **Seale, AL 36875**

A C C U S A T I O N

15 **Registered Nurse License No. 666693**

16 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),
22 Department of Consumer Affairs.

23 **Registered Nurse License**

24 2. On or about September 28, 2005, the Board issued Registered Nurse License Number
25 666693 to Laura Mechelle Dunn, aka Laura M. Daughtry Dunn ("Respondent"). The nurse
26 license expired on November 30, 2008.

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STATUTORY PROVISIONS

3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

4. Code section 118 provides, in pertinent part, that the withdrawal of an application for a license after it has been filed with a board . . . shall not deprive the board of its authority to institute or continue a proceeding against the applicant for the denial of the license upon any ground provided by law or to enter an order denying the license upon any ground.

5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

6. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

.

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action....

COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Disciplinary Action by the Alabama State Board of Nursing)

8. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that she was disciplined by the Alabama State Board of Nursing ("Alabama Board"), as follows:

9. On or about July 7, 2008, pursuant to a Consent Order and Voluntary License Surrender, in the case entitled *In the Matter of Laura M. Daughtry Dunn, License No. 1-110966, Case No. 2007-0689*, the Alabama Board issued a REVOCATION of Respondent's nursing license.

10. The Alabama Board based its action on the following three (3) separate incidents:

a. In or about April of 2007, Respondent was employed as an RN at Lanier health Services, located in Valley, Alabama.

i. On or about April 12, 2007, while on duty as an RN, Respondent refused to submit to a "for cause" urine drug screen.

ii. The basis for the "for cause" drug screen was due to Respondent's attempt to withdraw two (2) Lortab 5 mg for a patient prior to withdrawing the ordered dosage of one (1) Lortab 5mg for a patient. Respondent then withdrew two (2) Tylenol tablets for reported self-use prior to proceeding to the patient's room for which the Lortab had been withdrawn.

iii. The patient described the medication administered as two (2) similar white round pills which appeared to be Tylenol. Respondent acknowledged the administration of one (1) Vicodin (Lortab) and one (1) Tylenol to the patient. Respondent failed to document the administration of Lortab or Tylenol and the patient did not have an order for Tylenol.

b. On or about April 4, 2006, Respondent submitted to the Alabama Board of Nursing a application for licensure by endorsement. On the application, Respondent failed to disclose a prior criminal conviction from September 9, 2005, where Respondent pled guilty to misdemeanor harassment, in case no. DC-2005-1074.

1 c. On or about August 10, 2005, Respondent submitted an application for employment
2 with On Assignment, in Cincinnati, Ohio. On this application, Respondent
3 misrepresented the dates of her employment at St. Francis Hospital, in Columbus Georgia,
4 and failed to disclose her termination from employment there for unsatisfactory job
5 performance.

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7 **SECOND CAUSE FOR DISCIPLINE**

8 **(Unprofessional Conduct)**

9 11. Respondent is subject to discipline under Code section 2761, subdivision (a), on the
10 grounds of unprofessional conduct, in that Respondent committed acts constituting unprofessional
11 conduct, as more particularly set forth in paragraphs 8 through 10, above.

12 **PRAYER**

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
14 and that following the hearing, the Board of Registered Nursing issue a decision:

15 1. Revoking or suspending Registered Nurse License Number 666693, issued to Laura
16 Mechelle Dunn, aka Laura M. Daughtry Dunn;

17 2. Ordering Laura Mechelle Dunn, aka Laura M. Daughtry Dunn, to pay the Board of
18 Registered Nursing the reasonable costs of the investigation and enforcement of this case,
19 pursuant to Business and Professions Code section 125.3; and,

20 3. Taking such other and further action as deemed necessary and proper.

21 DATED: April 8, 2011 Staci Ba
22 for LOUISE R. BAILEY, M.Ed., RN
23 Executive Officer
24 Board of Registered Nursing
25 Department of Consumer Affairs
26 State of California
27 Complainant
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